

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:14-CV-117-F

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

v.

IVONNE I. BETANCOURT and RAFAEL
O. MOLINA, JR.

Defendants.

and

RAFAEL O. MOLINA, JR.

Cross Claimant,

v.

IVONNE I. BETANCOURT

Cross Defendant.

CONSENT JUDGMENT

NOW COME Rafael O. Molina, Jr. ("Molina"), by and through counsel, and Ivonne I. Betancourt ("Betancourt") (collectively, "the Parties") and for the reasons set forth below consent to the Court's entry of this Consent Judgment.

WHEREAS the Parties have filed competing claims to the proceeds of a life insurance policy administered by the Plaintiff, along with cross-claims against one another alleging defamation, and


WHEREAS Plaintiff has deposited the proceeds of the policy at issue with the Court in the amount of ninety-three thousand four-hundred and forty eight dollars and forty three cents (\$93,448.43), and

WHEREAS Molina has been represented by counsel throughout this action and Betancourt has now conferred with counsel, and

WHEREAS the Parties wish to avoid the time, expense, and inconvenience of further litigating this matter;


Ivonne I. Betancourt


1


Rafael O. Molina

NOW THEREFORE, without trial of issues of fact or law and upon consent of Parties, the Court finds that there is good and sufficient cause to enter this Consent Judgment, and that it is therefore ORDERED, ADJUDGED, AND DECREED:

1. The Clerk of Court is ORDERED to disburse to Rafael O. Molina in care of McCoy, Wiggins, Cleveland, and O'Connor, PLLC, as attorneys for Molina, the sum of \$93,448.43.
2. That Molina's cross-claims against Betancourt be dismissed with prejudice.
3. That Betancourt's cross-claims against Molina be dismissed with prejudice.
4. That each of the Parties will bear his or her own costs and fees.

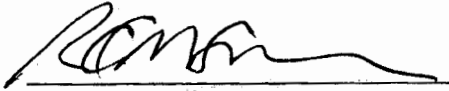
SO ORDERED. This the 5th day of December, 2014.


James C. Fox
Senior United States District Court Judge


Ivonne I. Betancourt


Rafael O. Molina

CONSENTED TO:

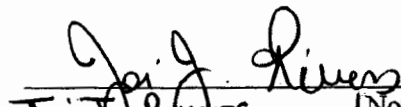

Rafael O. Molina

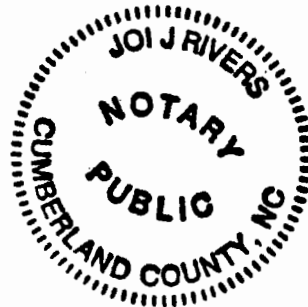
Cumberland County, North Carolina


I certify that Rafael O. Molina personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated herein.

Date: 12/4/2014
(Official Seal)

/s/ Daniel S. Harrison
Daniel S. Harrison
McCoy, Wiggins, Cleveland, and O'Connor, PLLC
202 Fairway Drive
Fayetteville, NC 28303
Telephone: 910-483-8104
Fax: 910-483-0094
E-mail: dharrison@mccoywiggins.com
State Bar No. 36797



Joi J. Rivers, Notary Public
My commission expires: 7/13/2016





Ivonne I. Betancourt
Richmond, N.Y.
North Carolina


I certify that Ivonne I. Betancourt personally appeared before me this day, acknowledging to me that she voluntarily signed the foregoing document for the purpose stated herein.

Date: November 26, 2014
(Official Seal)


_____, Notary Public
KATRINA I. MARQUEZ
Notary Public, State of New York
No. 01MA6253575
Qualified in Richmond County
Commission Expires December 19, 2015


Ivonne I. Betancourt

3


Rafael O. Molina